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NOTICE OF ALLOWANCE AND FEE(S) DUE

22879

7590

01/23/2009

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

WRIGHT, INGRID D

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 01/23/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,280	03/12/2004	Thomas S. Neal	200314060-1	1301

TITLE OF INVENTION: STORAGE COMPARTMENT WITH POSITIONABLE POST FOR HOLDING A COMPACT DISC AND RELATED SYSTEM
AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	04/23/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issued on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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 or Fax **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

22879 7590 01/23/2009

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/800,280 03/12/2004

Thomas S. Neal

200314060-1

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TITLE OF INVENTION: STORAGE COMPARTMENT WITH POSITIONABLE POST FOR HOLDING A COMPACT DISC AND RELATED SYSTEM AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	04/23/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
WRIGHT, INGRID D	2835	361-685000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Date _____

Typed or printed name _____

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 107 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 107 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/800,280

Examiner

INGRID WRIGHT

Applicant(s)

NEAL ET AL.

Art Unit

2835

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/4/08.
2. ☒ The allowed claim(s) is/are 1-3,5-14 and 16-20,22-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION
EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr.

Douglas Gilbert, Reg. 27,196 on 1/9/09.

The claim list of application has been amended as follows:

Claim 1. (previously presented) A post for retaining an item in a storage compartment having a side, the post comprising: a body operable to hold the item; and a coupling element operable to couple the body to the side of the storage compartment and to allow the post to be moved to a position in which the body can receive the item to be stored in the compartment, and to a different position in which the body can not receive the item to be stored in the compartment; wherein the coupling element includes a locking element operable to retain the body in at least one of the positions.

Claim 2. (previously presented) The post of claim 1 wherein the body is releasably fastened to the side of the storage compartment.

Claim 3. (previously presented) The post of claim 1 wherein the body is pivotable relative to the side of the storage compartment.

Claim 4. (cancelled)

Claim 5. (previously presented) The post of claim 1 wherein the position in which the body receives an item stored in the compartment includes the body substantially perpendicular to the side, and the position in which the body does not receive an item stored in the compartment includes the body substantially parallel with the side.

Claim 6. (previously presented) The post of claim 1 wherein the coupling element includes a protrusion insertable into a hole.

Claim 7. (previously presented) The post of claim 1 wherein the coupling element includes a protrusion extending from the body, and a hole in the side of the storage compartment operable to receive the protrusion.

Claim 8. (previously presented) The post of claim 1 wherein the item to be stored in the storage compartment includes a storage disc having a hole, and the body is insertable into the hole.

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Claim 9. (previously presented) The post of claim 1 wherein the item to be stored in the storage compartment includes a storage disc having a hole, and the body is insertable into the hole, and includes a shoulder to support the storage disc away from the side.

Claim 10. (previously presented) The post of claim 1 wherein:
the body includes a first component and a second component, and
the coupling element includes:
a first element operable to couple the first component to the side of the storage compartment and to allow the first component to be positioned relative to the side in at least two different positions, and
a second element operable to couple the second component to the side of the storage compartment and to allow the second component to be positioned relative to the side in at least two different positions.

Claim 11. (previously presented) A storage compartment comprising:
a bottom and a sidewall that define an interior; and
a post operable to retain a storage disc in said interior, and including, a body operable to engage the storage disc; and a coupling element operable and to allow the body to be positioned relative to the bottom in at least two different positions that include a first position in which the body can receive the storage disc when the disc is stored in the compartment, and a second position in which the body can not receive the storage disc, wherein said coupling element comprises a hinge that allows said body to rotate at a base of the body between said first position in which said body is extending from said bottom of the storage compartment and said second position in which said body lays below said bottom of the storage compartment in a receptacle when the disc is stored in the compartment and in which the body remains without one exerting pressure on the body.

Claim 12. (previously presented) The storage compartment of claim 11 wherein the coupling element includes a locking element operable to retain the body in at least one of the positions in one position the body extends from the bottom into the interior substantially perpendicular to the bottom.

Claim 13. (previously presented) The storage compartment of claim 11 wherein said body is divided into two portions each of which rotate in opposite directions into said receptacle in.

Claim 14. (previously presented) A method for storing a storage disc, the method comprising:
rotating a body of a post around a hinge attached to said post, wherein said body of said post is rotated between an extended position extending from a side of a storage compartment and a retracted, from a position in which the body is disposed in a receptacle in said side of the storage compartment and can not receive the storage disc and, when said body of said post is in said extended position, engaging a hole in the disc with the body.

Claim 15. (canceled)

Claim 16. (previously presented) The method of claim 14 further comprising retaining the body in at least one position with a locking element.

Claim 17. (previously presented) The method of claim 14 further comprising supporting the disc away from the side with a support element on said body of said post.

Claim 18. (previously presented) The method of claim 14 further comprising: positioning the body in the retracted relative to the side, to the position in which the body can not receive the disc; and

placing another item in the storage compartment.

Claim 19. (previously presented) The method of claim 14 wherein said body comprises two separate members, the method further comprising positioning the two separate members of the body adjacent to each other, such that both are received through the hole in the disc when engaging the disc with the body relative to the side includes pivoting the post relative to the side.

Claim 20. (previously presented) The method of claim 19, wherein rotating the body of the post into the extended position further comprises rotating the two separate member of the body in different directions, away from each other to place both in said positioning the body relative to the side includes disposing the receptacle.

Claim 21. (cancelled)

Claim 22. (Previously presented) A post for retaining an item in a storage compartment having a side, the post comprising: a body operable to hold the item; and a coupling element operable to couple the body to the side of the storage compartment and to allow the body to be positioned relative to the side in at least two different positions, the coupling element including a locking element operable to retain the body in at least one of the positions.

Claim 23. (Previously presented) A storage compartment comprising: a bottom and a sidewall that define an interior; and a post pivotable and operable to retain a storage disc, and including, a body operable to engage the storage disc; and a coupling element operable to couple the body to the bottom of the storage compartment and to allow the body to be positioned relative to the bottom in at least two different positions, wherein in one position the body is disposed in a receptacle of the bottom, below a surface of the bottom.

Claim 24. (previously presented) The storage compartment of claim 11 wherein said hinge comprises protrusions at said base of the body that mate with holes in said receptacle.

Allowable Subject Matter

2. Claims 1-3,5-14,16-20 & 22-24 are allowed.

3. The following is a statement of reasons for the indication of allowable subject matter: the allowability resides in the overall structure of the device as recited by claims 1,11,14,22,23, and at least in part, because **Claim 1** recites: "wherein the coupling element includes a locking element operable to retain the body in at least one of two positions," **Claim 11** recites: "a hinge that allows said body to rotate at a base of the body between said first position in which said body is extending from said bottom of the storage compartment and said second position in which said body lays below said bottom of the storage compartment in a receptacle," **Claim 14** recites: "rotating a body of a post around a hinge attached to said

post, wherein said body is rotated between an extending position extending from a side of a storage compartment and a retracted position in which the body is disposed in a receptacle in said side of the storage compartment and can not receive the storage disc,” **Claim 22** recites: “the coupling element including a locking element,” and **Claim 23** recites: “wherein in one position the body is disposed in a receptacle of the bottom, below a surface of the bottom.” The aforementioned limitations in combination with all remaining limitations of claims 1,11,14,22 & 23, are believed to render the claims 1,11,14,22 & 23 and all claims dependent thereupon, patentable over the art of record.

US 5400902 to Kaminski is considered the closest reference to the instant application, as Kaminski disclosed a storage compartment (20), an item (31), a body (i.e. body of (36)), and a coupling element (34), but is silent as to wherein the coupling element includes a locking element or a hinge, to allow the body to rotate at the base of the body between a first position and a second position in which said body lays below said bottom of the storage compartment in a receptacle or below a surface of the bottom.

US 6535379 B1 to Smeenge, Jr. et al. is considered a pertinent reference to the instant application, as Smeenge, Jr. et al. disclosed a storage compartment (fig. 2), a body (44) and an item (i.e. a disc), but is silent as to a coupling element including a hinge.

None of the aforementioned references, either alone or in-combination are believed to render the present invention, unpatentable as claimed.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to INGRID WRIGHT whose telephone number is (571)272-8392. The examiner can normally be reached on M-F. If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Jayprakash Gandhi can be reached on (571)272-2800, ext 35. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lisa Lea-Edmonds/
Primary Examiner, Art Unit 2835

/Ingrid Wright/
Examiner, Art Unit 2835